

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BILLY G. ASEMANI, <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">v.</div> U.S.D.H.S., <div style="text-align: center;">Defendants.</div>	: : : : : : : : : :	Civil No. 1:22-cv-1651 (Judge Sylvia H. Rambo)
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ORDER

Before the court is the report and recommendation of United States Magistrate Judge Carlson (Doc. 4) which recommends, following a legally mandated screening review, that the complaint be dismissed. Plaintiff Asemani timely filed lengthy objections (Doc. 10) to the report and recommendation that primarily restate and reargue the issues that Magistrate Judge Carlson already considered in the report and recommendation. Since mere disagreement with the report and recommendation is not a basis to decline to adopt the report and recommendation, the court construes the objections as general objections.¹ Further, to the extent that the objections seek to clarify the purpose of the complaint, the court finds that these clarifications do not

¹ When a party raises only general objections to a report and recommendation, a district court is not required to conduct a *de novo* review of the report and recommendation. *Goney v. Clark*, 749 F.2d 5, 6-7 (3d Cir. 1984). “To obtain *de novo* determination of a magistrate’s findings by a district court, 28 U.S.C. § 636(b)(1) requires both timely and specific objections to the report.” *Id.* at 6. Thus, when reviewing general objections to a report and recommendation, the court’s review is limited “to ascertaining whether there is ‘clear error’ or ‘manifest injustice’” on the face of the record. *Boomer v. Lewis*, No. 3:06-cv-0850, 2009 WL 2900778, at *1 (M.D. Pa. Sept. 9, 2009).

change the ultimate finding that this court is without jurisdiction to hear Asemani's latest claims related to his nationality.

Thus, upon review of Magistrate Judge Carlson's report and recommendation, the court finds no clear error or manifest injustice on the face of the record. Accordingly, **IT IS HEREBY ORDERED** as follows:

- 1) The Report and Recommendation (Doc. 4) is **ADOPTED**;
- 2) The motion for leave to proceed in forma pauperis (Doc. 7) is **GRANTED**;
- 3) The plaintiff's complaint (Doc. 1) is **DISMISSED**;
- 4) The Clerk of Court is **DIRECTED** to close this case; and
- 5) Any appeal taken from this order is deemed frivolous and not in good faith.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge